

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, AUGUST 19, 2008
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene Study Session – **Supervisor Liz Kniss, District 5 Update**
4. Public Comments
5. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session – **VTA Governance Structure Issue**
4. Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, the City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY– Presentation by Jed Cyr, Board Member of the Mid-Peninsula Regional Open Space District to introduce their new district manager

Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours, posted online with the agenda the day following the meeting, and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.

CLOSED SESSION REPORT FOR AUGUST 4, 2008

Closed Session pursuant to Government Code Section 54957 – Public Employee Appointment.
Title: City Manager

CLOSED SESSION REPORT FOR AUGUST 5, 2008

Closed Session pursuant to Government Code Section 54957 – Public Employee Appointment.
Title: City Manager

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- 1.A. MOTION Approval of Draft Minutes of May 23, 2008
- 1.B. MOTION Approval of Draft Minutes of July 15, 2008
- 1.C. MOTION Approval of Draft Minutes of July 22, 2008
- 1.D. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.E. MOTION List of Claims and Bills Approved for Payment by the City Manager – Lists
RTC 08–244 No. 411, 412, 413 & 414

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7385

- 1.F. MOTION City of Sunnyvale Investment Report 2nd Quarter 2008
RTC 08–248

Staff Recommendation: Council receives and files the investment report.

Staff Contact: Therese Balbo, (408) 730-7604

- 1.G. MOTION Approval of Participation in the Memorandum of Understanding
RTC 08-245 Between the Sunnyvale Department of Public Safety and the City of
San Jose for the Purpose of the Silicon Valley Internet Crimes Against
Children Training Reimbursement Grant and Approval of Budget
Modification No. 3

Staff Recommendation:

- Council authorizes the Department of Public Safety to enter into the Memorandum of Understanding with the City of San Jose for the reimbursement of training costs incurred and approved by Silicon Valley Internet Crimes Against Children; and
- Council approves Budget Modification No. 3

Staff Contact: Doug Moretteo, (408) 730-7711

Contracts

- 1.H. MOTION Award of Contract for Public Works Project Management and
RTC 08-249 Engineering Services (F0807-04)

Staff Recommendation: Council awards a two-year contract, in substantially the same form as the attached draft and in an amount not-to-exceed \$300,000, to Associated Infrastructure Management Services (AIMS) Corporation for Public Works project management and engineering services.

Staff Contact: Pete Gonda, (408) 730-7385

- 1.I. MOTION Award of Contract for Citywide Copier Lease Program (F0807-02)
RTC 08-247

Staff Recommendation:

- Award a four-year contract in an amount not to exceed \$145,000 annually for a total contract amount of \$580,000, to Ricoh, for the lease of Citywide Copiers; and
- Council delegates authority to the City Manager to exercise an option to extend the contract for two additional one-year periods, provided that pricing and service remain acceptable to the City.

Staff Contact: Pete Gonda, (408) 730-7385

- 1.J. MOTION Rejection of Bids for Public Safety Building Data Center Heating,
RTC 08-250 Ventilating and Air Conditioning Improvements (F0706-101)

Staff Recommendation: Council rejects all bids received in response to Invitation for Bids No. F0706-101 for the Public Safety Building Data Center Heating, Ventilating and Air Conditioning Improvements

Staff Contact: Pete Gonda, (408) 730-7385

- 1.K. MOTION Agreement Between the City of Sunnyvale and Silicon Valley Leadership
RTC 08-235 (Formerly Leadership Sunnyvale) to Provide Leadership Sunnyvale
Training Program

Staff Recommendation:

- Council approves the two-year SVL Agreement to provide leadership training via the Leadership Sunnyvale program, to the Sunnyvale community; and
- Council authorizes the City Manager to enter into said Agreement.

Staff Contact: Patricia Lord, (408) 730-7477

Other Items

- 1.L. MOTION Approval of Final Map (Tract No. 9965, Trinity Park) – 42 Unit Single-Family Homes at the Northwest Corner of West Fremont Avenue and Pome Avenue by Classic Communities, Incorporated.
RTC 08–234

Staff Recommendation:

- Council approves the final map for Tract No. 9965;
- Council authorizes the Mayor to sign the subdivision agreement upon: developer's signatures, submittal of improvement securities, payment of development fees, and submittal of other documents deemed necessary by the Director of Public Works;
- Council directs the City Clerk to sign the City Clerk's Statement and the Certificate of Abandonment; and to forward the final map for recordation.

Staff Contact: Eric Gonzales, (408) 730-7616

- 1.M. MOTION Authorization to Accept Contract in the Amount of \$50,040 from Foothill-De Anza Community College District to Assist with Solar Installer Training Program
RTC 08–233

Staff Recommendation: Council, on behalf of the NOVA seven-city consortium, authorizes the acceptance of a contract from the Foothill-De Anza Community College District in the amount of \$50,040 for the coordination of internships for solar installer trainees.

Staff Contact: Mike Curran, (408) 730-7248

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments***

2. MOTION Request by Council for Continuance of 2007-0346 Extension of Sustainable Building Requirements Beyond Moffett Park (Study Issue)
RTC 08–246

Staff Recommendation: Continue this item to August 26, 2008.

Staff Contact: Ryan Kuchenig, (408) 730-7431

3. MOTION Consider Options for Use of Raynor Activity Center (Study Issue)
RTC 08-238

Staff Recommendation: Council approves to sell the Raynor Activity Center Site and use proceeds from the sale to acquire or develop new parks and open space in areas of the City where the need is greater, as identified by the Parks of the Future Study due to Council in September 2008.

Staff Contact: Cathy Merrill, (408) 730-7531

4. MOTION 2008-0245 – Sheri DeCaire/Mission Bay Works [Applicant] Peter Van
RTC 08–194 Dyck [Owner]: Appeal by the Applicant of a decision of the Planning Commission denying an application for a Use permit to allow a vocational school for property located at 230 Commercial St. (near e. Arques Ave.) in an M-S (Industrial & Service) Zoning District. (Mitigated Negative Declaration) (APN: 205-35-007)

Staff Recommendation: Council denies the appeal and upholds the decision of the Planning Commission to deny the Use Permit and encourages staff to work with the applicant to identify more suitable sites.

Staff Contact: Steve Lynch, (408) 730-2723

5. MOTION 2007-0764 – Consideration of Changes to Single-Family Home
RTC 08–251 Development Standards and Accessory Utility Building Standards
(Study Issue)

Staff Recommendation:

- Council adopts the Negative Declaration
- Council directs staff to prepare an ordinance modifying the development standards for single-family homes and accessory utility buildings;
- Council modifies the Single-Family Home Design Techniques;
- Council modifies application submittal requirements;
- Council directs staff to return with a budget modification to add appropriate funding to the Land Use Planning Program 242 budget consistent with the anticipated fiscal impact for the selected tools

Staff Contact: Mariya Hodge, (408) 730-7659

6. MOTION 2008-0407: The Martin Company [Applicant] TMG Santa Trinita LLC
RTC 08–240 [Owner]: Application for a Use Permit on a 4.56 Acre Site for the Construction of a New 4-story Office Building Totaling 99,317 Square Feet Which Results in a 50% FAR (Floor Area Ratio). The Property is located at 384 Santa Trinita Avenue (at Kern Avenue) in an M-S (Industrial & Service) Zoning District (APN: 205-24-001)

Staff Recommendation: Council adopts the Negative Declaration and approves the Use Permit with attached conditions.

Staff Contact: Ryan Kuchenig, (408) 730-7431

7. MOTION Municipal Code Revision Chapter 5.36 – Taxicabs (Study Issue)
RTC 08–236

Staff Recommendation: Council makes no change to the Sunnyvale City Charter, Article XVI, or Sunnyvale Municipal Code Section 5.36 at this time and instead directs staff to raise the issue for consideration during a future Charter Revision.

Staff Contact: Heather Tannehill, (408) 730-7157

8. MOTION Designation of Voting Delegate and Alternates for 2008 League of
RTC 08–217 California Cities Annual Conference

Staff Recommendation: Council designates one voting delegate, and up to two delegate alternates.

Staff Contact: Yvette Agredano, (408) 730-7536

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Approved Minutes of the Child Care Advisory Board meeting of April 22, 2008
- Notification of Lack of Quorum at the Regularly Scheduled Child Care Advisory Board Meeting of April 22, 2008
- Draft Minutes of the Child Care Advisory Board Meeting of May 21, 2008
- Approved Minutes of the Housing and Human Services Commission meeting of June 25, 2008
- Draft Minutes of Parks and Recreation Commission Meeting of July 9, 2008
- Draft Minutes of Arts Commission Meeting of July 16, 2008
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission of July 17, 2008
- Notification of Lack of Quorum at the Regularly Scheduled Child Care Advisory Board Meeting of July 22, 2008
- Draft Minutes of the Housing and Human Services Commission of July 23, 2008
- Draft Minutes of the Board of Library Trustees Meeting of August 4, 2008
- Draft Minutes of the Heritage Preservation Commission Meeting of August 6, 2008
- Study Session Summary – Update on Latest Plans for Downtown Sunnyvale Project and discussion of possible amendments to the Amended and Restated Disposition and Development and Owner Participation Agreement (ARDDOPA) and Special Development Permits for the project, July 15, 2008
- RTC 08-237 Update on the City's Policies Pertaining to Moffett Federal Airfield (Information Only)

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
August 19, 2008	Council Meeting	7 p.m.	Council Chambers
August 25, 2008	Special Council Meeting – Closed Session	8 a.m.	The Grand Hotel
August 26, 2008	Council Meeting	7 p.m.	Council Chambers
September 9, 2008	Council Meeting	7 p.m.	Council Chambers
September 16, 2008	Council Meeting	7 p.m.	Council Chambers
September 17, 2008	Special Council Meeting	8:30 a.m.	Community Center
September 30, 2008	Council Meeting	7 p.m.	Council Chambers
October 7, 2008	Council Meeting	7 p.m.	Council Chambers
October 14, 2008	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

August 20, 2008	Arts Commission	7 p.m.	Council Chambers
August 21, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
August 25, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
August 25, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
August 27, 2008	Administrative Hearing	2 p.m.	West Conf. Room
August 27, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
September 3, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
September 8, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
September 8, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
September 8, 2008	Board of Library Trustees	7 p.m.	Library Prog. Room
September 10, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

August 19, 2008	City Council Meeting – Live	7 p.m.
August 20, 2008	City Council Meeting – Replay of August 19, 2008	7 p.m.
August 24, 2008	City Council Meeting – Replay of August 19, 2008	4 p.m.
August 26, 2008	City Council Meeting – Live	7 p.m.
August 27, 2008	City Council Meeting – Replay of August 26, 2008	7 p.m.
August 31, 2008	City Council Meeting – Replay of August 26, 2008	4 p.m.
September 9, 2008	City Council Meeting – Live	7 p.m.
September 10, 2008	City Council Meeting – Replay of September 9, 2008	7 p.m.
September 14, 2008	City Council Meeting – Replay of September 9, 2008	4 p.m.
September 16, 2008	City Council Meeting – Live	7 p.m.
September 17, 2008	City Council Meeting – Replay of September 16, 2008	7 p.m.
September 21, 2008	City Council Meeting – Replay of September 16, 2008	4 p.m.
September 30, 2008	City Council Meeting – Live	7 p.m.
October 1, 2008	City Council Meeting – Replay of September 30, 2008	7 p.m.
October 5, 2008	City Council Meeting – Replay of September 30, 2008	4 p.m.
October 7, 2008	City Council Meeting – Live	7 p.m.
October 8, 2008	City Council Meeting – Replay of October 7, 2008	7 p.m.
October 12, 2008	City Council Meeting – Replay of October 7, 2008	4 p.m.
October 14, 2008	City Council Meeting – Live	7 p.m.
October 15, 2008	City Council Meeting – Replay of October 14, 2008	7 p.m.
October 19, 2008	City Council Meeting – Replay of October 14, 2008	4 p.m.

